

USPTO Customer No. 25280

Case 9103

**REMARKS****Objections to the Specification**

The Examiner objected to the specification for its failure to include headings, in accordance with guidelines provided in 37 CFR 1.77(b). Applicants respectfully note that such guidelines are not requirements. However, to facilitate prosecution of the application, such headings as were appropriate have been added to the specification. Applicants beg the Examiner's indulgence in this regard, as the present application was written originally in German and thus does not conform to standard practice in the United States. Applicants further submit that such amendments to the specification should be sufficient to overcome the Examiner's objection.

**Rejection under 35 USC 112**

Claims 42-45 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to point out and distinctly claim that which applicants regard as their invention. The Examiner has made specific rejections based on the terms "stiffening", "textile bond", and "said hose" (claim 42).

Applicants have amended Claims 42-44 to address the Examiner's concerns and to further clarify the intended scope of the invention. The term "stiffening" has been replaced by the term "stiffening component", which refers to one element of the present product. The term "textile bond" has been replaced by the phrase "adhered to", which is intended to describe the result of fibers in the stiffening component being melted during the process of securing the stiffening component to a textile reinforcement component. The phrase "said hose" has been corrected.

USPTO Customer No. 25280

Case 9103

Rejection under 35 USC 102

Claims 42-45 are rejected under 35 USC 102(b) as being anticipated by PLONTGES et al. (US Patent 4,857,379).

The Examiner's argument is essentially as follows:

Plontges et al. disclose a sheet-like structure of fibers useful as a reinforcement. The fabric incorporates plastic yarns in the warp and the weft direction. The yarns consist of a material, e.g. polyester or polyolefin, which shrinks under the impact of a temperature below the melting point of the material. After the impact of the heat and the consequent shrinking, the material reassumes its original firmness. The reference teaches constructions in which the warp and weft threads are interwoven with each other, and also a construction that includes a knitted fabric construction with a bonding chain holding together two layers of threads. The reference further teaches the threads soften under the action of heat.

Plontges et al. further teaches that in a tubular construction the structure has high-tenacity inextendible threads extending in the longitudinal direction of the tube, if the component is to be loaded in the direction of its length, while the threads that are extensible under deformation conditions run in the transverse direction. The reverse construction is also possible, for example, for a tube that is loaded by internal pressure.

Plontges provides preferred values for the threads employed including the composition and melting points of the various threads. They also show that the bonding chain has a higher melting point than threads of the structure. Therefore, the reference meets the limitation of having the "stiffening" acting as a "stiffener" under normal temperatures.

USPTO Customer No. 25280

Case 9103

The Examiner believes that the reference discloses a reinforcement layer in the form of a woven or knitted fabric that includes a stiffening material in the form of first threads with a lower melting point than second threads.

As a preliminary matter, Applicants wish to note that, for examining purposes, the claimed stiffening component is considered as a first element that is adhered to a reinforcement layer (a second element) to form the overall claimed textile reinforcement layer. Thus, for examining purposes, the prior art much teach or suggest a textile reinforcement layer that has both a stiffening component as well as a reinforcement layer.

However, the Plontges et al. reference fails to teach or suggest the combination of a stiffening component plus a reinforcement layer. Specifically, only one layer is disclosed.

In order to support an anticipation rejection under 35 USC 102(b), all elements of a claim must be disclosed. From Applicants' understanding of the '379 patent, Plontges et al. do not teach (a) that the textile reinforcement layer comprises a stiffening component selected from the group consisting of individual threads, individual yarns, and a textile product; (b) that the stiffening component is adhered to a reinforcement layer; and (c) that the stiffening component at normal temperatures will act as a stiffener of the reinforcement layer in a direction different from the longitudinal axis of the textile reinforcement layer to be stiffened, and particularly in a substantially perpendicular direction to the longitudinal axis of a hose, tube, or similar extended object to be reinforced.

USPTO Customer No. 25280

Case 9103

Because Plontges et al. fails to teach all of the elements of Applicants' claims, it is respectfully submitted that such art cannot be used to establish a proper rejection on the basis of anticipation. Accordingly, it is requested that the outstanding rejection be withdrawn.

USPTO Customer No. 25280

Case 9103

**CONCLUSION**

For the reasons set forth above, it is respectfully submitted that all claims stand in condition for allowance.

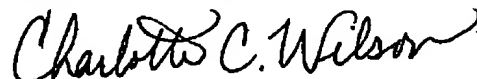
Should any issues remain after consideration of these Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

A Petition for Extension of Time (three months) accompanies this paper. In the event that there are additional fees associated with the submission of these papers (including extension of time fees), authorization is hereby provided to withdraw such fees from Deposit Account No. 04-0500.

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Legal Department  
Milliken & Company, M-495  
920 Milliken Road  
Post Office Box 1926  
Spartanburg, SC 29303

Respectfully submitted,



Charlotte C. Wilson  
Agent for Applicants  
Registration No. 45,224  
Tel. (864) 503-2194  
Fax (864) 503-1999